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9 *Attorneys for Plaintiff JOHN W. SMIRK*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 JOHN SMIRK,

13 Plaintiff,

14 vs.

15 TRUSTEES OF THE INTERNATIONAL  
16 PAINTERS AND ALLIED TRADES  
INDUSTRY PENSION PLAN; RICHARD  
17 B. SIGMOND; INTERNATIONAL  
PAINTERS AND ALLIED TRADES  
18 INDUSTRY PENSION PLAN,

19 Defendants.

Case No.: 2:19-cv-00650-APG-VCF

Judge: Honorable Andrew P. Gordon

**SCHEDULING ORDER**

20 Pursuant to Fed. R. Civ. P. 26(f), the parties submit this scheduling order as follows:

21 **1. Meeting:** The FRCP 26(f) discovery conference was held on 01/16/2020. Plaintiff  
22 JOHN SMIRK, through his attorney Eric Dobberstein, Esq. of Dobberstein Law Group conducted  
23 a FRCP 26(f) conference with the following Defendants: TRUSTEES OF THE  
24 INTERNATIONAL PAINTERS AND ALLIED TRADES INDUSTRY PENSION PLAN;  
25 RICHARD B. SIGMOND; and INTERNATIONAL PAINTERS AND ALIED TRADES  
26 INDUSTRY PENSION PLAN (hereinafter collectively referred to as "Defendants"), through their  
27 attorney James E. Goodley, Esq. of the law firm of Jennings Sigmond, P.C.  
28

1           **2. Pre-Discovery Disclosures:** Defendants will produce the administrative record on  
2 or before 01/31/2020, which is fourteen (14) days from the date of the parties' Fed. R. Civ. P.  
3 26(f) conference.

4           **3. Local Rule 26-l(a) Statement Regarding Special Scheduling Review:** Not  
5 needed.

6           **4. Discovery Plan:** This is a matter set for judicial review of a prior administrative  
7 court ruling. No new discovery is contemplated at this time. The only evidence to be presented is  
8 the record on appeal, which will be produced by January 31, 2020 pursuant to FRCP 26(f) by  
9 Defendants.  
10

11           **5. Briefing Schedule:** The parties propose the following briefing schedule, which is  
12 to be concluded on July 31, 2020:

13           (A) Plaintiff's Opening Brief: The last day to file Plaintiff's Opening Brief shall be  
14 April 6, 2020.

15           (B) Defendant's Reply Brief: The last day to file Defendant's Reply Brief shall be  
16 June 8, 2020.

17           (C) Plaintiff's Reply Brief: The last day to file Plaintiff's Reply Brief shall be July 31,  
18 2020.

19           (D) Interim Status Report: The parties shall file the interim status report required by  
20 Local Rule 26-3 by May 31, 2020, which is not later than sixty (60) days before the final brief has  
21 been filed.  
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(G) Later Appearing Parties: A copy of this Scheduling Order shall be served on any person served after it is entered or, if additional defendants should appear, within five (5) days of their first appearance. This Scheduling Order shall apply to such later-appearing parties, unless the Court, on motion and for good cause show.

DOBBERSTEIN LAW GROUP

JENNINGS SIGMOND, P.C.

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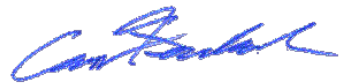
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*Attorneys for Defendants*

## ORDER

### IT IS SO ORDERED.

Dated: January 30, 2020.



UNITED STATES ~~DISTRICT COURT~~ JUDGE

Magistrate